Filed 10/7/04 P. v. Russell CA3

NOT TO BE PUBLISHED

California Rules of Court, rule 977(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 977(b). This opinion has not been certified for publication or ordered published for purposes of rule 977.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT

(Butte)

THE PEOPLE,

Plaintiff and Respondent,

v.

THEORA ANNETTE RUSSELL,

Defendant and Appellant.

C046358

(Super. Ct. No. CM019514)

Defendant entered a plea of no contest to forgery (Pen. Code, § 470, subd. (d)) in exchange for a promise of no immediate state prison. The trial court suspended imposition of sentence and granted probation in accordance with the plea. Defendant appeals.

We appointed counsel to represent defendant on appeal.

Counsel filed a brief setting forth the facts of the case.

Citing People v. Wende (1979) 25 Cal.3d 436, counsel requests the court to review the record in this case and determine whether there are any arguable issues on appeal. Counsel states

defendant was advised of the right to file a supplemental brief within 30 days of the filing of the opening brief. Since more than 30 days have elapsed from the filing of the opening brief and we have received no communication from defendant, we have undertaken an examination of the entire record in this case. We find no arguable error favorable to defendant.

DISPOSITION

	The ju	dgment is affi	rmed.				
				BLEASE	 Acting	P.	J.
We	concur:						
	-	NICHOLSON	, J.				

HULL ____, J.